# TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

Control $\underline{580}$ Department or Agency Alabama Department of Rule No. $\underline{580-2-908}$	Mental Health
Rule Title: General Clinical Practice	
NewAmendX RepealA	dopt by Reference
Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety?	YES
Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare?	NO
Is there another, less restrictive method of regulation available that could adequately protect the public?	NO
Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree?	NO
Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule?	NO
Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public?	YES
Does the proposed action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule?	<u>NO</u>
************	*****
Does the proposed rule have an economic impact?	NO
If the proposed rule has an economic impact, the proposed be accompanied by a fiscal note prepared in accordance wi Section 41-22-23, Code of Alabama 1975.	
*************	*****
Certification of Authorized Official	
I certify that the attached proposed rule has been propos compliance with the requirements of Chapter 22, Title 41, 1975, and that it conforms to all applicable filing requi Administrative Procedure Division of the Legislative Serv	Code of Alabama rements of the
Signature of certifying officer	·
	(DATE FILED) (STAMP)

### Alabama Department of Mental Health Mental Health and Substance Abuse

### NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Department of Mental Health

RULE NO. & TITLE: 580-2-9-.08 General Clinical Practice

INTENDED ACTION: Repeal

SUBSTANCE OF PROPOSED ACTION: We have created Chapter 580-2-20-.08 to eventually combine the current rules for Mental Illness in Chapter 580-2-9 and Substance Abuse in Chapter 580-9-44.

TIME, PLACE, MANNER OF PRESENTING VIEWS: All interested persons may submit data, views, or arguments in writing to Altorvis (Allie) Ligon, Director, Office of Certification Administration, Alabama Department of Mental Health, 100 North Union Street, Suite 540, Montgomery, Alabama 36130 by mail or in person between the hours of 8:00AM and 5:00Pm, Monday through Friday, or by electronic means to contactoca.dmh@mh.alabama.gov until and including December 5, 2022. Persons wishing to submit data, views or arguments orally should contact Ms. Ligon by telephone at (334)353-2069 during this period to arrange for appointment.

# FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

December 5, 2022

## CONTACT PERSON AT AGENCY:

Persons wishing a copy of the proposal may contact: Altorvis (Allie) Ligon
Department of Mental Health
100 North Union Street, Suite 540
Montgomery, Alabama 36130

Montgomery, Arabama S

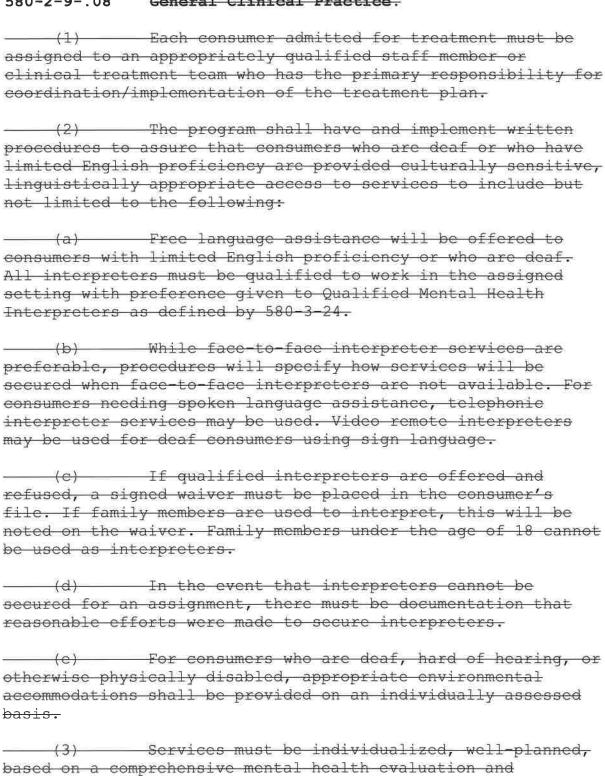
(334)353-2069

A copy of the proposed change is available on the department's website at <a href="https://mh.alabama.gov/division-of-administration/certification-administration/">https://mh.alabama.gov/division-of-administration/certification-administration/</a>

(Signature of officer authorized to promulgate and adopt rules or his or her deputy)

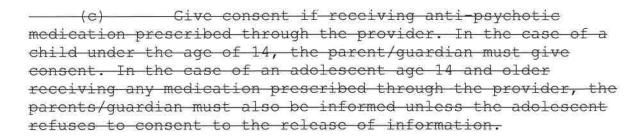
#### REPEALED

### 580-2-9-.08 General Clinical Practice.



assessment of needed treatment and support, and should include

treatment designed to enhance the consumer's abilities to recover and function in society as normally as possible. (a) Upon admission, a comprehensive mental status evaluation and assessment of each consumer. (b) Each program shall provide individualized mental health care and treatment that is designed to promote Recovery and Resiliency and that represents person-centered treatment planning process. (c) Treatment for consumers who are deaf or who have limited English proficiency will be offered by staff fluent in language of the consumer's choice or by using qualified interpreters. (d) Treatment will be modified to effectively serve consumers who are deaf as determined by a communication assessment conducted by the Office of Deaf Services or staff approved by the Office. (4) The program shall follow up within a reasonable time for missed appointments and other clinical indicators for all high risk consumers such as: (a) Consumers who were discharged from psychiatric inpatient services (local or state) in the past year. (b) Consumers who were decompensating on the last visit. (c) Consumers who are considered potentially harmful to self or others. (5) All consumers receiving medication prescribed by a physician/certified registered nurse practitioner/physician's assistant employed by the provider shall: (a) Be seen and evaluated by a licensed physician, certified nurse practitioner, or physician's assistant at intervals not to exceed a 6 month period. (b) Receive information relative to risks and benefits of the medication in their preferred language in terms they can readily understand.



- (6) The Provider will have a system for tracking due dates for injections administered by the agency and will schedule appointments accordingly.
- (7) Prescriptions shall be limited to 5 refills or a 6 month supply, unless the physician sets more stringent directions.
- (8) Phone orders from the physician/certified nurse practitioner/physician's assistant regarding medication in crisis situations must be documented immediately and co-signed by the person issuing the order within 7 days.
- emergency service for enrolled consumers through compliance with 580-2-9-.12 Emergency Services or through contracts and cooperative agreements that spell out procedures for 24 hour emergency telephone coverage and evaluation services through a local hospital or other appropriate resource including how the provider will handle calls from people who are deaf, hard of hearing, or who have limited English proficiency.
- (10) The Board must approve written operational policies. The following minimum procedures must be established:
- (a) The provider must have written policies that protect the consumer against discrimination in the provision of services regardless of the consumer's age, race, creed, handicap, national origin, language of preference, sex, social status, diagnostic category, or length of residence in the service area except that specialized services may be developed for specific target populations (for example, child and adolescent day treatment, Assertive Community Treatment for adults, etc.)
- (b) A description of each service functional area of responsibility as contained in the organizational chart and for which certification is requested that includes:

<u> </u>	Admission criteria.
2.	lature and scope of the program.
<del>3.</del> B	estarge/transfer criteria and procedures.
4. S	Service area for the program.
	Number and credentials of staff assigned to the red by specific program standards
(c) A	description of the appeal policies and
1. P	Persons denied admission.
P	Persons involuntarily dismissed from a program.
circumstances un	There must be a written policy addressing der which drug screening of consumers by e utilized. If it is utilized at any point,
	stablish procedures that protect against the dolor contamination of any urine specimen.
	Demonstrate that the individual's privacy is ime a urine specimen is collected.
(c) R	equire that an observer will supervise urine
Author: Divisio	n of Mental Illness, DMH
	rity: Code of Ala. 1975, §22-50-11.
	<b>le</b> : March 5, 2010; effective July 19, 2010.
Repealed: Filed	October 19, 2022.